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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/888,449	06/26/2001	Jerome Mlynarczyk	Q64931	9665

7590 04/22/2004

SUGHRUE, MION, ZINN, MACPEAK & SEAS, PLLC  
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Washington, DC 20037-3213

EXAMINER
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RAMPURIA, SATISH

ART UNIT	PAPER NUMBER
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2124

DATE MAILED: 04/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/888,449

Examiner

Satish S. Rampuria

Applicant(s)

MLYNARCZYK ET AL.

Art Unit

2124

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 26 June 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-3 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

***DETAILED ACTION***

1. This action is in response to the application filed on 06/26/2001.
2. Claims 1-3 are pending.

***Priority***

3. Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d). The certified copies have been filed in parent Applications No. 0008243, filed on June 27, 2000.

***Information Disclosure Statement***

4. An initialed and dated copy of Applicant's IDS form 1449, Paper No. 04, is attached to the instant Office action.

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1 and 3 are rejected under 35 U.S.C. 102(e) as being anticipated by UK Patent Application No. GB 2326255A to Kaminsky, hereinafter called Kaminsky.

**Per claim 1:**

Kaminsky discloses:

**- A method of managing information in a distributed system including at least one local system** (page 1, lines 5-8 “computer programming methods and systems... particular, to object oriented programming and methods and systems of running object oriented program on multiple computers connected by a network”) **and one remote system and using a remote invocation method of the Java language** (page 8, line 29 “makes remote calls (using RMI)” and page 8, line 31 “calls are generated as Java RMI source”), **said language including instructions and enabling creation of objects from classes of belonging having hierarchical relations between them** (page 4, lines 26-29 “programmer writes programs... object oriented language... Java... and compile the code in unlinked executable code”), **which method consists of defining in the local system classes** (page 4 and 5, lines 41 and 1 “some classes Y to be executed locally”) **replicating the hierarchy of classes in the remote system** (page 5, line 1 “some class X to be executed remotely”) **and including means of access to said classes in the remote system in order to enable use in the local system of instructions specific to classes defined in the remote system** (page 4, lines 15-18 “objects are located... on the network... access those remote objects”)

**Per claim 3:**

Kaminsky discloses:

**- A distributed information management system including at least one local system and one remote system** (page 4, lines 20-21 “The Automatic Object Distribution (AOD)... objects will be distributed over a network”) **including a plurality of interfaces** (page 8, line 39 “to generate the interface X” Interface”, see fig. 1) **and using a remote method invocation mechanism of the**

*Java language* (page 8, line 29 “makes remote calls (using RMI)” and page 8, line 31 “calls are generated as Java RMI source”), *said language including instructions and enabling creation of objects from classes of belonging* (page 4, lines 26-29 “programmer writes programs... object oriented language... Java... and compile the code in unlinked executable code”), *wherein the local system includes a "proxy" for each interface* (page 8, line 34 “the proxy X”, an interface X” Interface”) *and said proxy is defined to enable use in the local system of instructions specific to the interfaces defined in the remote system* (page 3, lines 32-37 “first proxy containing network linkage and indication to access said programmed methods on said second computer... second proxy containing network linkage and indication to access said programmed methods on said first computer... accessing said remote programmed methods through said proxies”)

substantially as claimed.

### ***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kaminsky, in view of, US Patent No. 6,678,715 to Ando, hereinafter called Ando.

**Per claim 2:**

The rejection of claim 1 is incorporated, and further, Kaminsky did not explicitly disclose horizontal casting.

However, Ando discloses in an analogous computer system having acquisition of server object making casting of an interface (col. 24, lines 62-63 “acquisition of server object (casting of interface type) ”).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate the method of casting an interface as taught by Ando into the method of automatic object distribution as taught by Kaminsky. The modification would be obvious because of one of ordinary skill in the art would be motivated to do casting of an instruction to have dynamically switching the execution position of a process requested by client host and the server host as suggested by Ando (col. 3, lines 56-61).

### ***Conclusion***

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The following patent is cited to further show the state of the art with respect to \*\*\*.

US Pub. No. US 2003/0177170 to Glass

US Patent No. 6,629,128 to Glass et al.

US Patent No. 6,622,175 to Piller

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Satish S. Rampuria whose telephone number is 703-305-8891.

The examiner can normally be reached on 8:30 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kakali Chaki can be reached on (703) 305-9662. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

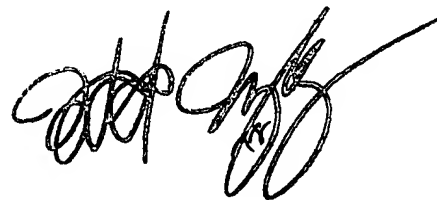
Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Satish S. Rampuria

Patent Examiner

Art Unit 2124

04/19/2004

A handwritten signature in black ink, appearing to read 'TODD INGBERG', with a long horizontal stroke extending to the right.

**TODD INGBERG**  
**PRIMARY EXAMINER**